



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,732	11/29/2000	Peter Joseph Giacomini	500-001US	9621

22897 7590 01/28/2005

DEMONT & BREYER, LLC
SUITE 250
100 COMMONS WAY
HOLMDEL, NJ 07733

EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/725,732

Applicant(s)

GIACOMINI ET AL.

Examiner

Thong H Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. Claims 1-22 are pending.

Response to Arguments

2. Applicant's arguments filed 11/15/04 with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Wu et al [Wu 6,823,377 B1].

3. As per claim 1, Wu discloses a method comprising:

hashing at a first processor a first resource identifier to create a hash key,
wherein said first resource identifier identifies a first resource [Wu, a hashing value to a proxy cache with one proxy ID, col 3 line 60-col 4 line 32; col 5 lines 42-62];

transmitting from said first processor to a second processor said hash key and a request for said first resource [Wu, caching servers and requests hashed, col 1 lines 53-65];

receiving at said first processor a second resource in response to the transmission of said hash key and said request for said first resource [Wu, caching servers and requests hashed, col 1 lines 53-65]. It was clearly that the servers

Art Unit: 2142

collaborated the hash key value for a better load balance which provides a second source in response].

4. Claims 8,15-22 contain the similar limitations set forth of claim 1. Therefore, claims 8,15-22 are rejected for the similar rationale set forth in claim 1.

5. As per claims 2,9 Wu discloses receiving at said first processor a second resource identifier in response to the transmission of said hash key and said request for said first resource [Wu, proxy ID, col 7 line 40-col 8 line 11].

6. As per claims 3,10 Wu discloses said first processor verifies that said second resource is said first resource by comparing said second resource identifier to said first resource identifier [Wu, mapping proxy ID, col 4 lines 40-65].

7. As per claims 4,11 Wu discloses transmitting from said first processor to said second processor said first resource identifier in addition to said hash key and said request for said first resource [Wu, mapping proxy ID, col 4 lines 40-65].

8. As per claims 5,12 Wu discloses said second processor stores said second resource and said second resource identifier in a data structure that is indexed by said hash key [Wu, index, col 6 lines 6-32].

Art Unit: 2142

9. As per claims 6,13 Wu discloses said second processor verifies that said second resource is said first resource by comparing said second resource identifier to said first resource identifier [Wu, mapping proxy ID, col 4 lines 40-65].

10. As per claims 7,14 Wu discloses said hash key and said request for said first resource are transmitted from said first processor to said second processor when said all (or a portion) of said hash key is contained in a list of valid hash keys associated with said first processor [Wu, hash partition, col 6 lines 6-32].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142

